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Newegg, Inc. and Newegg North America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASETEK DANMARK A/S

Plaintiff,

v.

NEWEGG INC., NEWEGG NORTH
AMERICA INC.,

Defendants.

CASE NO. 3:16-CV-07068-JST

**JOINT STIPULATION TO AMEND
CASE SCHEDULE; [PROPOSED]
ORDER**

Plaintiff Asetek Danmark A/S (“Asetek”) and Defendants Newegg Inc. and Newegg North America Inc. (“Newegg”) jointly stipulate, with the Court’s permission, to amend the Case Schedule (Dkt. 38), as provided in the table below. This stipulation (if granted) will not affect the Court’s previously scheduled claim construction hearing date, but only intervening dates that should not affect the Court.

The patents-in-suit (U.S. Patent Nos. 8,240,362 and 8,245,764) are the same as the patents-in-suit in *Asia Vital Components Co. Ltd. v. Asetek Danmark A/S*, Case No. 3:16-cv-07160-JST (“the AVC Case”). The claim construction hearing for both the AVC Case and this case are set for the same date and time, November 7, 2017 at 1:30 p.m.

Counsel for the parties to this action continue to engage in informal settlement discussions, and a settlement conference with Magistrate Judge Kim is calendared for July 11, 2017. In view of these ongoing settlement discussions, and mindful of the Court’s recent order in the AVC Case granting AVC a one-month extension until June 30, 2017 to serve invalidity contentions (and making additional scheduling modifications that do not affect the claim construction hearing date), the parties stipulate and respectfully request that the Court similarly amend the schedule in this case as provided in the table below:

Event	Current Schedule	Proposed Schedule
Invalidity Contentions	May 30, 2017	June 30, 2017
Exchange of Proposed Terms for Construction	June 13, 2017	August 4, 2017
Exchange of Preliminary Claim Constructions and Extrinsic Evidence	August 4, 2017	August 18, 2017
Deadline to file Joint Claim Construction and Prehearing Statement	August 15, 2017	August 25, 2017
Damages Contentions	August 8, 2017	September 1, 2017
Claim Construction Discovery Cutoff	September 14, 2017	Same (No Change)
Deadline to file Opening Claim Construction Brief	September 22, 2017	Same (No Change)
Responsive Damages Contentions	September 7, 2017	September 29, 2017
Deadline to file Responsive Claim Construction	October 6, 2017	Same (No Change)

Brief		
Deadline to file Reply in Support of Opening Claim Construction Brief (Local Rule - 7 days after Responsive Brief)	October 13, 2017	Same (No Change)
Claim Construction Hearing	November 7, 2017 at 1:30 PM	Same (No Change)

Respectfully submitted,

Dated: June 14, 2017

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

By: /s/ Robert F. McCauley
Robert F. McCauley

Attorneys for Plaintiff
Asetek Danmark A/S

Dated: June 14, 2017

LITIGATION LAW GROUP

By: /s/ Gordon M. Fauth, Jr.
Gordon M. Fauth Jr.

Attorneys for Defendants
Newegg Inc. and Newegg North America, Inc.

ATTESTATION

I, Robert F. McCauley, hereby attest that concurrence in the filing of the document has been obtained from counsel for Newegg Inc. and Newegg North America, Inc.

Dated: June 14, 2017

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

By: /s/ Robert F. McCauley
Robert F. McCauley

Attorneys for Plaintiff
Asetek Danmark A/S

[PROPOSED] ORDER

Pursuant to the parties' Stipulation AND FOR GOOD CAUSE SHOWN, the Court adopts the parties' proposed revised schedule as set forth in the Stipulation above.

IT IS SO ORDERED

Dated: _____

Honorable Jon S. Tigar
United States District Judge
Northern District of California